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9 Attorneys for Third-Party Defendant
10 KIRK NIX ASSOCIATES INC. D/B/A
11 KNA INTERIOR DESIGNS

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JONATHAN BROWNING, INC.,

Plaintiff,

v.

VENETIAN CASINO RESORT, LLC,
LAS VEGAS SANDS, LLC, LAS VEGAS
SANDS CORP., and DOES 1 through 100,
inclusive,

Defendants.

CASE NO. C 07-3983 JSW

THIRD PARTY DEFENDANT KIRK
NIX ASSOCIATES INC. D/B/A KNA
INTERIOR DESIGNS' NOTICE
WITHDRAWING MOTION TO DISMISS
OR STAY AND COMPEL
ARBITRATION

VENETIAN CASINO RESORT, LLC,
LAS VEGAS SANDS, LLC, LAS VEGAS
SANDS CORP.,

Third-Party Plaintiffs,

v.

KIRK NIX ASSOCIATES INC. D/B/A
KNA INTERIOR DESIGNS, a California
corporation,

Third-Party Defendant.

1 In response to the filing of Third-Party Plaintiffs Venetian Casino Resort, LLC, Las
2 Vegas Sands, LLC, Las Vegas Sands Corp.'s Amended Third Party Complaint, Third-
3 Party Defendant Kirk Nix Associates dba KNA Interior Designs ("KNA") hereby gives
4 notice withdrawing its April 7, 2008, Motion to Dismiss or Stay and Compel Arbitration.
5 KNA will shortly file and serve a revised motion to dismiss or stay and compel arbitration
6 against the claims in Third-Party Plaintiff's Amended Third Party Complaint.

7 KNA previously notified the Court of its intent to withdraw the current pending
8 motion. The Court's docketing clerk indicated that KNA may retain the hearing date of
9 June 13, 2008, at 9:00 am to hear argument on KNA's revised motion.

10 Dated this 21st Day of April, 2008.

11 SCHWABE, WILLIAMSON & WYATT, P.C.

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13 By: /s/ Johnathan E. Mansfield

14 Johnathan E. Mansfield
15 Attorneys for Third-Party Defendant, KIRK
16 NIX ASSOCIATES INC., D/B/A KNA
17 INTERIOR DESIGNS
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CERTIFICATE OF SERVICE

I am a resident of the State of Oregon, I am over the age of 18 years, and I am not a party to this lawsuit. My business address is 1211 SW Fifth Avenue, Suite 1900, Portland, Oregon 97204. On the date listed below, I served the following document titled: THIRD PARTY DEFENDANT'S KIRK NIX ASSOCIATES INC. D/B/A KNA INTERIOR DESIGN'S KNA INTERIOR DESIGNS' NOTICE WITHDRAWING MOTION TO DISMISS OR STAY, in the manner indicated:

- ☒ via electronic means to the E-mails listed.
- ☒ by placing the document listed above in a sealed envelope to the person(s) at the address set forth below with first class postage thereon fully prepaid and deposited said envelope with the United States Postal Service on the same date set out below.

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**VIA ELECTRONIC MEANS AND U.S.
MAIL**

12 I declare under penalty of perjury under the laws of the State of Oregon that the
13 above is true and correct.

14
15 Executed April 21, 2008, at Portland, Oregon.

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18 /s/ Anita Erickson
19 Anita Erickson